

10-21-04

IFW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

18

Application Number 10752,134

Filing Date January 6, 2004

First Named Inventor Abbas A. Alahyar

Art Unit 3744

Examiner Name Tapolcal, William E.

Attorney Docket Number 10665A

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Receipt Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	WILLIAM W. HABELT		
Signature	<i>William W. Habelt</i>		
Printed name	William W. Habelt		
Date	October 20, 2004	Reg. No.	29,162

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
ABBAS A. ALAHYARI et al.) Docket No. 10665A
Serial No.: **10/752,134**) Examiner: TAPOLCAI, William E.
Filed: **January 6, 2004**) **Group Art Unit: 3744**
For: **REERIGERATED DISPLAY MERCHANDISER WITH**
IMPROVED AIR CURTAIN

INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, DC 20231

October 20, 2004

Sir:

This Information Disclosure Statement is being filed prior to the mailing date of the first Office action on the merits. Accordingly, Applicant believes that no fee is due with the submission of this Information Disclosure Statement.

In the event that a fee is deemed to be due, authorization is hereby made to charge any and all such fees to Deposit Account 03-0835 in the name of Carrier Corporation.

Applicants submit herewith Form PTO/SB/08A (two sheets) listing patents, publications or other information, of which they are aware that may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

I certify that this correspondence is been deposited with the United States Postal Service in an envelope addressed to Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, under 37 C.F.R. 1.10 as "Express Mail Post Office to Addressee" on October 20, 2004 under Express Mail Label No. ER031188629US.

By: William W. Habelt

William W. Habelt

Date: October 20, 2004

The filing of this information disclosure statement shall not be construed as a representation that a search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner.

U.S. Patent 5,357,767 of Roberts; U.S. Patent 4,633,677 of Maehara, U.S. Patent 3,304,736 of Brennan et al., and U.S. Patent 3,289,432 of Brennan et al. were cited in the International Search Report issued in International Patent Application No. PCT/US2004/004935. The International Search Report was mailed August 18, 2004, by the European Patent Office as the International Searching Authority. Therefore, the documents cited therein are being submitted within three months of the receipt of the International Search Report.

Additionally, Applicants enclose herewith a copy of the aforementioned International Search Report and a copy of the Written Opinion of the International Searching Authority. The relevance attributed to each of these documents by the International Searching Authority is stated in the accompanying International Search Report and Written Opinion of the International Searching Authority.

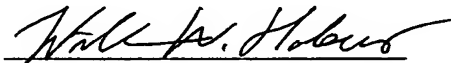
Of the remaining references cited on the accompanying Form PTO/SB/008A, U.S. Patent 5,345,778; U.S. Patent 5,138,843; U.S. Patent 5,048,303; U.S. Patent 4,938,034; U.S. Patent 4,326,385; U.S. Patent 4,269,037; U.S. Patent 3,812,684; U.S. Patent 3,517,526; U.S. Patent 3,369,375; U.S. Patent 3,233,423; and U.S. Patent 3,182,466 were cited by the Examiner in Applicants' prior U.S. patent application serial no. 10/374,640, now abandoned, from which the present application claims

Application No. 10/752,134
Information Disclosure Statement
page 3 of 3

priority as a continuation-in-part, but not also cited in the aforementioned International Search Report.

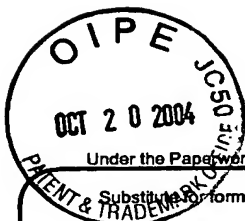
U.S. Patent 4,267,706; U.S. Patent 4,117,698; U.S. Patent 3,937,033; U.S. Patent 3,850,003; U.S. Patent 3,827,254; and U.S. Patent 3,648,482, which were not cited in the aforementioned International Search Report or by the Examiner in the aforementioned parent application, are submitted as further examples of prior art multi-curtain systems.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "William W. Habelt", is written over a horizontal line.

William W. Habelt, Reg. No. 29,162
Attorney for Applicants
Phone: 315-635-8293

Enclosures



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/752,134
Filing Date	January 6, 2004
First Named Inventor	Abbas A. Alahyari
Art Unit	3744
Examiner Name	Taplocat, William E.
Attorney Docket Number	10665A

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 5,357,767	10/25/1994	Roberts, Harold L.	
		US- 5,345,778	09/13/1994	Roberts, Harold L.	
		US- 5,138,843	08/18/1992	Tamayana et al.	
		US- 5,048,303	09/17/1991	Campbell et al.	
		US- 4,938,034	07/03/1990	Rosanio et al.	
		US- 4,633,677	01/06/1987	Maehara, Kazuo	
		US- 4,326,385	04/20/1982	Ibrahim, Fayez F.	
		US- 4,269,037	05/26/1981	Karashima, Masashi	
		US- 4,267,706	05/19/1981	Abraham, Fayez F.	
		US- 4,117,698	10/03/1978	Vogel, Robert E.	
		US- 3,937,033	02/10/1976	Beckwith et al.	
		US- 3,850,003	11/26/1974	Beckwith et al.	
		US- 3,827,254	08/06/1974	MacMaster et al.	
		US- 3,812,684	05/28/1974	Brown, Grant M.	
		US- 3,648,482	03/14/1972	Beckwith et al.	
		US- 3,517,526	06/30/1970	MacMaster et al.	
		US- 3,369,375	02/20/1968	Gerwerk et al.	
		US- 3,304,736	02/21/1967	Brennan et al.	
		US- 3,289,432	12/06/1966	MacMaster et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	2	of	2
-------	---	----	---

Complete if Known

Application Number	10/752,134
Filing Date	January 6, 2004
First Named Inventor	Abbas A. Alahyari
Art Unit	3744
Examiner Name	Tapcolai, William E.
Attorney Docket Number	10665A

U. S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

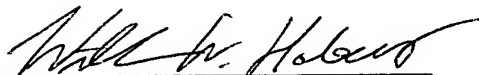


CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.10

I hereby certify that, on the date shown below, this correspondence (identified below) is being deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, under 37 C.F.R. 1.10 as "Express Mail Post Office to Addressee"

Express Mail Label No.: **ER 031188629 US**

On October 20, 2004



William W. Habelt
October 20, 2004

Date of Signature

The following items of correspondence are being transmitted under this Certificate of Mailing:

In re application of: **ABBAS A. ALAHYARI et al.**
Application serial number: **10/752,134**
Filed: **January 6, 2004**
Examiner: Tapolcai, William E. Art Unit: 3744

Transmittal Form

Information Disclosure Statement including:

IDS Cover Letter – 3 sheets
Form PTO/SB/08A – 2 sheets
International Search Report and
Written Opinion of the International
Searching Authority – 11 sheets